STATUTORY INSTRUMENTS

2005 No. 735

The Work at Height Regulations 2005

Inspection of work equipment

12.—(1) This regulation applies only to work equipment to which regulation 8 and Schedules 2 to 6 apply.

(2) Every employer shall ensure that, where the safety of work equipment depends on how it is installed or assembled, it is not used after installation or assembly in any position unless it has been inspected in that position.

(3) Every employer shall ensure that work equipment exposed to conditions causing deterioration which is liable to result in dangerous situations is inspected—

(a) at suitable intervals; and

(b) each time that exceptional circumstances which are liable to jeopardise the safety of the work equipment have occurred,

to ensure that health and safety conditions are maintained and that any deterioration can be detected and remedied in good time.

(4) Without prejudice to paragraph (2), every employer shall ensure that a working platform—

(a) used for construction work; and

(b) from which a person could fall 2 metres or more,

is not used in any position unless it has been inspected in that position or, in the case of a mobile working platform, inspected on the site, within the previous 7 days.

(5) Every employer shall ensure that no work equipment, other than lifting equipment to which the requirement in regulation 9(4) of the Lifting Operations and Lifting Equipment Regulations 1998 [M1] ("LOLER") applies—

(a) leaves his undertaking; or

(b) if obtained from the undertaking of another person, is used in his undertaking,

unless it is accompanied by physical evidence that the last inspection required to be carried out under this regulation has been carried out.

(6) Every employer shall ensure that the result of an inspection under this regulation is recorded and, subject to paragraph (8), kept until the next inspection under this regulation is recorded.

(7) A person carrying out an inspection of work equipment to which paragraph (4) applies shall—

(a) before the end of the working period within which the inspection is completed, prepare a report containing the particulars set out in Schedule 7; and

(b) within 24 hours of completing the inspection, provide the report or a copy thereof to the person on whose behalf the inspection was carried out.

(8) An employer receiving a report or copy under paragraph (7) shall keep the report or a copy thereof—

(a) at the site where the inspection was carried out until the construction work is completed; and

(b) thereafter at an office of his for 3 months.

(9) Where a thorough examination has been made of lifting equipment under regulation 9 of LOLER—

(a) it shall for the purposes of this regulation, other than paragraphs (7) and (8), be treated as an inspection of the lifting equipment; and

(b) the making under regulation 10 of LOLER of a report of such examination shall for the purposes of paragraph (6) of this regulation be treated as the recording of the inspection.

(10) In this regulation "inspection", subject to paragraph (9)—

(a) means such visual or more rigorous inspection by a competent person as is appropriate for safety purposes;

(b) includes any testing appropriate for those purposes,

and "inspected" shall be construed accordingly.

Marginal Citations

M1 S.I.1998/2307, to which there are amendments not relevant to these Regulations.

Changes to legislation:
There are currently no known outstanding effects for the The Work at Height Regulations 2005, Section 12.